

**REMARKS**

A telephone interview between the Examiner and Dennis Smid (one of the applicants' undersigned attorneys) was conducted on February 27, 2003. The applicants and Mr. Smid wish to thank the Examiner for his time and consideration during such interview.

Claims 1-5 and 9 are in this application.

Claims 1-4<sup>1</sup> and 9 were rejected under 35 U.S.C. 102(e) as being anticipated by Fukuda et al. (U.S. 6,323,839).

Independent claim 1 recites in part as follows:

“extraction means for extracting the second image from the first image on the basis of image information captured by said capturing means.”

In explaining the above 102 rejection, the Examiner asserts that Fukuda teaches the above-mentioned “extraction means for extracting...” (See pg. 3, lines 5-7 of the present Office Action.) It is respectfully submitted that Fukuda as applied by the Examiner (hereinafter, merely “Fukuda”) does not disclose such “extraction means.” This matter was discussed with the Examiner during the February 27<sup>th</sup> telephone conference. At that time, the Examiner acknowledged that Fukuda does not disclose the extraction means of claim 1 and, as a result, the Examiner also stated that claim 1 is distinguishable from Fukuda.

For somewhat similar reasons, it is also believed that independent claims 4, 5, and 9 are distinguishable from Fukuda.

Claims 2 and 3 are dependent from independent claim 1 and, due to such dependency, are also believed to be distinguishable from Fukuda.

It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the applicants' undersigned attorney and, in

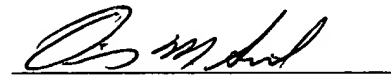
the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where in the reference, there is the bases for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable over the prior art, and early and favorable consideration thereof is solicited.

Please charge any fees incurred by reason of this response and not paid herewith to Deposit Account No. 50-0320.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

By:



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<sup>1</sup> Although the Examiner indicated that only claims 1-4 and 9 were rejected, it is believed that the Examiner intended to reject claims 1-5 and 9.